

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
WEDNESDAY, JUNE 4, 1969

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p. m. on Wednesday, June 4, 1969 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - BROWN, CULBERTSON,  
HUNNELL, SCHAFFER and KIRSTEN (Mayor)

Also present: City Manager Graves, Assistant City  
Manager Peterson, Assistant City Attorney Sullivan and  
Planning Director Schroeder.

PLEDGE

Mayor Kirsten led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Schaffer, Hunnell second, the  
Minutes of May 14 and May 21, 1969 were approved as  
written and mailed after correcting the Minutes of May  
21, 1969 as follows: Page 2, line 3 - change the word  
"Kettleman" to "Cherokee."

GALT  
CENTENNIAL

Vice Mayor V. M. Lawrence of Galt, representing Galt's  
Centennial Committee, introduced "Miss Galt," Miss  
Carol Stanley. Vice Mayor Lawrence invited the City  
Council to attend Galt's Centennial Celebration to be  
held on July 4, 1969. Miss Stanley presented each of  
the Councilmen with a complimentary ticket to the  
Centennial picnic. She also presented Mayor Kirsten  
with a copy of Galt's Centennial brochure. Mayor  
Kirsten thanked Miss Stanley and Vice Mayor Lawrence  
for their visit and wished them success for their  
Centennial celebration.

PUBLIC HEARINGS

APPEAL -  
COURTESY  
MOTORS -  
CONTINUED

Notice thereof having been published in accordance with  
law, Mayor Kirsten called for the public hearing on the  
appeal of John Ferraiolo of Courtesy Motors from the  
decision of the City Planning Commission in denying  
his request for a change in zoning for Lot 55, Knoll  
Subdivision. Mr. John Ferraiolo spoke, requesting  
a continuance of the public hearing for sixty days. On  
motion of Councilman Hunnell, Schaffer second, the  
public hearing was continued to the meeting of August  
6, 1969.

AMEND  
SIGN ORD.  
  
ORD, NO, 900  
INTRODUCED

Notice thereof having been published in accordance with  
law, Mayor Kirsten called for the public hearing on the  
proposal to amend the Sign Ordinance as recommended  
by the City Planning Commission. Planning Director  
Schroeder introduced the matter and reviewed the major  
changes proposed. There being no one in the audience  
wishing to speak on the proposed amendments, the public  
portion of the hearing was closed. Councilman Culbert-  
son then moved the introduction of Ordinance No. 900  
adopting the amendments to the Sign Ordinance and  
thereby amending Section 27-13 (h) of the Lodi City Code.  
The motion was seconded by Councilman Schaffer and  
carried by unanimous vote.

Minutes of June 4, 1969, continued

# PLANNING COMMISSION

REZONE NW  
COR N CHURCH  
& W. LOCUST

At its meeting of May 26, 1969 the City Planning Commission approved the request of St. Peter's Lutheran Church for a change in zoning for three parcels located at the northwest corner of North Church Street and West Locust Street (i.e., Lots 5, 6 and 7 of Block 1, City of Lodi) from the R-HD, High Density Multiple-Family Residential District to the C-2, General Commercial District. On motion of Councilman Brown, Schaffer second, the matter was set for public hearing on June 18, 1969.

## OTHER ACTIONS

The City Planning Commission also took the following actions of interest to the City Council:

1. Adopted a Policy Statement that movable temporary structures be permitted in side and rear yards and within public utility easements under the following conditions:
  - a. That the average height of the structure not exceed 6 feet;
  - b. That the structure not be nailed to common fences nor serve as a physical connection between a dwelling or other building and a fence;
  - c. That the structure not be attached to a concrete footing; and
  - d. That the structure not cause a glare or a reflection on the neighbor's property.
2. Determined that a variance was not required and took no action on the request of Mr. Dean Buttell for a variance to permit the placement of a movable utility storage shed in the required 5-foot side yard area at 1810 Corbin Lane in an area zoned R-1, Single-Family Residential.

# COMMUNICATIONS

SP TRAIN

A letter was read from the California State Legislative Committee, Brotherhood of Railway, Airline and Steamship Clerks stating that the Southern Pacific had petitioned the California Public Utilities Commission to discontinue the last passenger train through Lodi. The letter requested the Council take action to prevent the discontinuance of this service. Councilman Culbertson moved that no action be taken on the matter. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

## LEGISLATION

A letter was received from the City of Indio requesting the City Council to adopt a resolution urging support of a bill providing that daylight savings time be observed nationally on a year-round basis. Councilman Hunnell moved that no action be taken on the matter. The motion was seconded by Councilman Brown and carried.

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# LIBRARY

A letter was read from Mrs. Lois Owen, 141 South Corinth Avenue, urging the City Council to take action concerning enlargement of the City Library facilities.

## REPORTS OF THE CITY MANAGER

### CLAIMS

Claims in the amount of \$170,771.74 were approved on motion of Councilman Brown, Hunnell second.

### ST. PETER'S LUTHERAN CHURCH ELECTRICAL SERVICE

City Manager Graves stated that the matter of electrical service for St. Peter's Lutheran Church had not yet been resolved. He stated that Mr. Clint Hoellworth, chairman of the church building committee, was in the audience and would like to speak on the matter. Mayor Kirsten then invited Mr. Hoellworth to address the Council. Mr. Hoellworth questioned the staff's interpretation of Section 2-41 of the Lodi City Code covering electric service. He felt the Church should not be required to pay for transformers but rather the City should bear this expense. Mr. Hoellworth then presented a drawing of the development and discussed a proposal whereby electrical service could be brought down Lower Sacramento Road and then extended underground to the Church development. Mayor Kirsten then asked Superintendent of Utilities Royal Newman if he would like to comment on the proposal presented by Mr. Hoellworth. Mr. Newman stated he was not aware of the proposal prior to the Council meeting and did not wish to comment on it until after he had reviewed it. Mayor Kirsten reminded Mr. Hoellworth that at a previous meeting the Council had requested him to review his plans with the City staff before presenting them to the Council.

City Manager Graves then pointed out that Section 2-41 of the City Code provides that if the customer desires underground service he must pay the difference in costs between the underground and overhead service. Mr. Hoellworth disagreed with this interpretation of Section 2-41 of the City Code. Mayor Kirsten then requested Assistant City Attorney Sullivan to give his opinion of the interpretation of this section of the Code. Attorney Sullivan verified that if the developer wishes underground service, then he must pay the difference in cost between the underground and the overhead service.

After further discussion, Councilman Hunnell moved that the matter be referred back to the staff and requested an opinion from the City Attorney concerning interpretation of Section 2-41 of the Lodi City Code. The motion was seconded by Councilman Brown and carried. Councilman Culbertson requested that each councilman be given a copy of the City Attorney's opinion. The Council then suggested that Mr. Hoellworth have St. Peter's Lutheran Church's attorney contact the City Attorney to discuss any legalities concerning interpretation of the City Code.

### PLANS & SPECS - TURNER ROAD WIDENING

City Manager Graves presented plans and specifications for Turner Road Widening (McLane Substation). Councilman Brown moved the plans and specifications be approved

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and calling for bids authorized. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

R/W SE COR  
POPLAR &  
STOCKTON

The City Manager explained that an apartment is being constructed at the southeast corner of South Stockton and Poplar Streets and the developer is being required to dedicate necessary right of way for street purposes which will result in the loss of one dwelling unit. The developer, Mr. E. S. Hannameyer, requested that the City reimburse him \$1300 for the one dwelling unit lost. On motion of Councilman Brown, Schaffer second, the Council approved payment of \$1300 to Mr. Hannameyer as damages for the loss of one dwelling unit resulting from dedication of street right of way.

B-2 OUTFALL  
LINE - SUPPLE-  
MENTAL  
ALLOCATION

(Minutes 6/18/69) *53*

VINEWOOD  
PARK GRANT

On motion of Councilman Culbertson, Schaffer second, the City Council approved a supplemental allocation in the amount of \$30,900 to cover increased costs of construction of the outfall line from Twin Oaks Park to Lodi Lake, and restore funds for work in progress July 1, 1968 which were not included in the Prior Year's Reserve.

Mr. Graves reported he had recently received word that the City's open-space land grant for Vinewood Park had been approved in the amount of \$43,740 by the Federal Government.

#### ORDINANCES

REZONES NW  
COR OF S. HAM  
& W. KETTLEMAN

ORD. NO. 899  
ADOPTED

ORDINANCE NO. 899, entitled, "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING TWO PARCELS AT THE NORTH-WEST CORNER OF SOUTH HAM LANE AND WEST KETTLEMAN LANE TO BE IN THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT," having been introduced at the meeting of May 21, 1969, was brought up for passage on motion of Councilman Brown, Hunnell second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, HUNNELL,  
SCHAFFER and KIRSTEN

Noes: Councilmen - None

Absent: Councilmen - None

NCPA  
REPORT

Mayor Kirsten reported on the Northern California Power Agency meeting which was held in Lodi on June 4.

SIDEWALK  
RESOLUTION

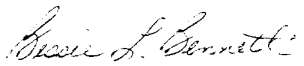
(Minutes 6/18/69) *54*

Councilman Culbertson questioned if it was appropriate to discuss the sidewalk resolution which had been sent to each of the Councilmen by the City Attorney. Assistant City Attorney Sullivan recommended the Council should not discuss the resolution at this meeting but rather discuss it at the meeting of June 18, 1969 at which time the matter has been set for <sup>discussion</sup> ~~public hearing~~. The Council agreed.

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ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 9:45 p.m.

  
ATTEST: BESSIE L. BENNETT  
City Clerk